

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF OHIO
3 EASTERN DIVISION

4 - - -
5 IN RE: NATIONAL : MDL NO. 2804
6 PRESCRIPTION OPIATE :
7 LITIGATION :
8 -----

9 : CASE NO.
10 THIS DOCUMENT : 1:17-MD-2804
11 RELATES TO ALL CASES:
12 : Hon. Dan A.
13 : Polster
14 - - -

15 Friday, January 4, 2019
16 - - -

17 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
18 CONFIDENTIALITY REVIEW
19 - - -

20 Videotaped deposition of
21 DEBRA CHASE, taken pursuant to notice,
22 was held at the law offices of Morgan
23 Lewis & Bockius, 1111 Pennsylvania
24 Avenue, NW Washington, DC 20004,
beginning at 10:17 a.m., on the above
date, before Amanda Dee Maslynsky-Miller,
a Certified Realtime Reporter.

25 - - -
26 GOLKOW LITIGATION SERVICES
27 877.370.3377 ph | 917.591.5672 fax
28 deps@golkow.com
29

Page 2	Page 4
<p>1 APPEARANCES:</p> <p>2</p> <p>3 BARON & BUDD, P.C.</p> <p>4 BY: WILLIAM POWERS, ESQUIRE</p> <p>5 EMMA KABOLL, PARALEGAL</p> <p>6 600 New Hampshire Avenue NW</p> <p>7 Suite 10A</p> <p>8 Washington, DC 20037</p> <p>9 Wpowers@baronbudd.com</p> <p>10 Representing the Plaintiffs</p> <p>11</p> <p>12 MORGAN, LEWIS & BOCKIUS LLP</p> <p>13 BY: JOHN P. LAVELLE, JR., ESQUIRE</p> <p>14 1701 Market Street</p> <p>15 Philadelphia, Pennsylvania 19103</p> <p>16 (215) 963-4824</p> <p>17 John.lavelle@morganlewis.com</p> <p>18 - and -</p> <p>19 BY: JOHN M. MALOY, ESQUIRE</p> <p>20 101 Park Avenue</p> <p>21 New York, New York 10178</p> <p>22 (212) 309-6682</p> <p>23 John.maloy@morganlewis.com</p> <p>24 Representing the Defendant,</p> <p>Rite Aid Corporation</p> <p>COVINGTON & BURLING LLP</p> <p>BY: ALISON DICURCIO, LAW CLERK</p> <p>One CityCenter</p> <p>850 Tenth Street, NW</p> <p>Washington, DC 20001</p> <p>(202) 662-6000</p> <p>Adicurcio@cov.com</p> <p>Representing the Defendant,</p> <p>McKesson Corporation</p>	<p>1 - - -</p> <p>2 I N D E X</p> <p>3 - - -</p> <p>4</p> <p>5 Testimony of: DEBRA CHASE</p> <p>6 By Mr. Powers 7</p> <p>7</p> <p>8 - - -</p> <p>9 E X H I B I T S</p> <p>10 - - -</p> <p>11 NO. DESCRIPTION PAGE</p> <p>12 RiteAid-Chase</p> <p>13 Exhibit-1 Rite_Aid_OMDL_0016495-498 40</p> <p>14 RiteAid-Chase</p> <p>15 Exhibit-2 Rite_Aid_OMDL_0016297-329 85</p> <p>16 RiteAid-Chase</p> <p>17 Exhibit-3 Rite_Aid_OMDL_0012503-505 104</p> <p>18 RiteAid-Chase</p> <p>19 Exhibit-4 Rite_Aid_OMDL_0049994-50031 112</p> <p>20 RiteAid-Chase</p> <p>21 Exhibit-5 Rite_Aid_OMDL_0016955-956 115</p> <p>22 RiteAid-Chase</p> <p>23 Exhibit-6 Rite_Aid_OMDL_0003641 129</p> <p>24 RiteAid-Chase</p> <p>Exhibit-7 Rite_Aid_OMDL_0014379-452 149</p>
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<p>1 APPEARANCES: (Continued)</p> <p>2</p> <p>3 VIA TELEPHONE/LIVESTREAM:</p> <p>4</p> <p>5 ARNOLD & PORTER KAYE SCHOLER LLP</p> <p>6 BY: ZENO HOUSTON, ESQUIRE</p> <p>7 250 West 55th Street</p> <p>8 New York, New York 10019</p> <p>9 (212) 836-8000</p> <p>10 Zeno.houston@arnoldporter.com</p> <p>11 Representing the Defendant,</p> <p>12 Endo Pharmaceuticals, Endo Health,</p> <p>13 and Par Pharmaceuticals</p> <p>14</p> <p>15 REED SMITH, LLP</p> <p>16 BY: LUKE PORTER, ESQUIRE</p> <p>17 101 Second Street</p> <p>18 Suite 1800</p> <p>19 San Francisco, California 94105</p> <p>20 (415) 543-8700</p> <p>21 Representing the Defendant,</p> <p>22 AmerisourceBergen Corporation</p> <p>23</p> <p>24 JONES DAY</p> <p>BY: PATRICK J. BEISELL, ESQUIRE</p> <p>77 West Wacker</p> <p>Chicago, Illinois 60601</p> <p>(312) 782-3939</p> <p>Pbeisell@jonesday.com</p> <p>Representing the Defendant,</p> <p>Walmart</p> <p>ALSO PRESENT:</p> <p>Daniel Holmstock, Videographer</p>	<p>1 - - -</p> <p>2 DEPOSITION SUPPORT INDEX</p> <p>3 - - -</p> <p>4</p> <p>5 Direction to Witness Not to Answer</p> <p>6 Page Line Page Line Page Line</p> <p>7 None</p> <p>8</p> <p>9</p> <p>10 Request for Production of Documents</p> <p>11 Page Line Page Line Page Line</p> <p>12 None</p> <p>13</p> <p>14</p> <p>15 Stipulations</p> <p>16 Page Line Page Line Page Line</p> <p>17 6 1</p> <p>18</p> <p>19</p> <p>20 Question Marked</p> <p>21 Page Line Page Line Page Line</p> <p>22 None</p> <p>23</p> <p>24</p>

<p style="text-align: right;">Page 6</p> <p>1 - - -</p> <p>2 (It is hereby stipulated and</p> <p>3 agreed by and among counsel that</p> <p>4 sealing, filing and certification</p> <p>5 are waived; and that all</p> <p>6 objections, except as to the form</p> <p>7 of the question, will be reserved</p> <p>8 until the time of trial.)</p> <p>9 - - -</p> <p>10 VIDEO TECHNICIAN: We are</p> <p>11 now on the record. My name is</p> <p>12 Daniel Holmstock. I'm the</p> <p>13 videographer for Golkow Litigation</p> <p>14 Services. Today's date is January</p> <p>15 4th, 2019. The time on the video</p> <p>16 screen is 10:17 a.m.</p> <p>17 This video deposition is</p> <p>18 being held at the law offices of</p> <p>19 Morgan Lewis, at 1111 Pennsylvania</p> <p>20 Avenue, Northwest, in Washington,</p> <p>21 D.C. in the matter of In Re</p> <p>22 National Prescription Opiate</p> <p>23 Litigation.</p> <p>24 The case is pending before</p>	<p style="text-align: right;">Page 8</p> <p>1 A. Yes. Debra Ann Chase.</p> <p>2 Q. Can you spell it, please?</p> <p>3 A. D-E-B-R-A, A-N-N, C-H-A-S-E.</p> <p>4 Q. And we've got a couple of</p> <p>5 people listening on the phone and in the</p> <p>6 room, so I'd ask you to just keep your</p> <p>7 voice up, so everyone can hear.</p> <p>8 Is that all right?</p> <p>9 A. Uh-huh.</p> <p>10 Q. And that -- your answer</p> <p>11 there leads me into one of my further</p> <p>12 instructions.</p> <p>13 Because we do have a court</p> <p>14 reporter taking down the testimony here</p> <p>15 today, I just ask that all of your</p> <p>16 answers that you give are verbal answers,</p> <p>17 a yes or no, something like that, as</p> <p>18 opposed to nods of the head, uh-huhs,</p> <p>19 uh-uh, things like that.</p> <p>20 Is that all right?</p> <p>21 A. Okay.</p> <p>22 Q. If, for any reason, you</p> <p>23 don't understand a question I'm asking</p> <p>24 today or require any sort of</p>
<p style="text-align: right;">Page 7</p> <p>1 the United States District Court</p> <p>2 for the Northern District of Ohio,</p> <p>3 Eastern Division. The deponent is</p> <p>4 Debra Chase. Counsel will be</p> <p>5 noted on the stenographic record</p> <p>6 for appearances. The court</p> <p>7 reporter is Amanda Miller, who</p> <p>8 will now administer the oath.</p> <p>9 - - -</p> <p>10 DEBRA CHASE, after having</p> <p>11 been duly sworn, was examined and</p> <p>12 testified as follows:</p> <p>13 - - -</p> <p>14 EXAMINATION</p> <p>15 - - -</p> <p>16 BY MR. POWERS:</p> <p>17 Q. Good morning, Ms. Chase.</p> <p>18 A. Good morning.</p> <p>19 Q. My name is Will Powers, and</p> <p>20 I represent the plaintiffs in this</p> <p>21 litigation.</p> <p>22 Before we get going, can you</p> <p>23 please state your full name and spell it</p> <p>24 for the record?</p>	<p style="text-align: right;">Page 9</p> <p>1 clarification, explanation of the words</p> <p>2 I'm using or anything like that, you have</p> <p>3 to tell me and we'll get that matter</p> <p>4 resolved before you answer the question.</p> <p>5 Is that okay?</p> <p>6 A. Yes.</p> <p>7 Q. So, then, if you answer a</p> <p>8 question, I'm going to go ahead and</p> <p>9 assume that you understand it.</p> <p>10 Is that okay?</p> <p>11 A. Yes.</p> <p>12 Q. Are you currently suffering</p> <p>13 from any medical disease or illness that</p> <p>14 in any way interferes with your ability</p> <p>15 to answer truthfully and completely my</p> <p>16 questions here today?</p> <p>17 A. No.</p> <p>18 Q. Do you understand that the</p> <p>19 court reporter has sworn you in and</p> <p>20 you're under oath here just as you would</p> <p>21 be in a courtroom at trial?</p> <p>22 A. Yes.</p> <p>23 Q. And because you're under</p> <p>24 oath, if you lie or provide an</p>

<p style="text-align: right;">Page 10</p> <p>1 intentionally misleading answer, you may 2 be subject to criminal or civil 3 penalties. 4 Do you understand that? 5 A. Yes. 6 Q. And as we go today, we can 7 take breaks if you need them, but I just 8 ask that if there's a question pending, 9 that you answer the question pending 10 before we take the break. 11 Is that all right? 12 A. Yes. 13 MR. LAVELLE: The witness 14 will consult with -- I reserve the 15 right to consult with counsel if 16 there's a privilege issue. 17 BY MR. POWERS: 18 Q. That gets to my next 19 instruction. 20 Your counsel, from time to 21 time, may object to my questions. But 22 I'm still entitled to an answer, unless 23 your counsel specifically instructs you 24 not to answer.</p>	<p style="text-align: right;">Page 12</p> <p>1 degree from college? 2 A. I did not. 3 Q. Do you have any other 4 education beyond high school, besides the 5 classes you took at Harford Community 6 College? 7 MR. LAVELLE: Object to 8 form. 9 THE WITNESS: Could you 10 repeat that again? 11 BY MR. POWERS: 12 Q. Any education -- did you 13 have any education beyond high school, 14 besides the -- some community college at 15 Harford Community College? 16 MR. LAVELLE: Same 17 objection. 18 THE WITNESS: I've had some 19 other education through the 20 military. 21 BY MR. POWERS: 22 Q. What is the nature of that 23 education? 24 A. I'm sorry?</p>
<p style="text-align: right;">Page 11</p> <p>1 Do you understand that? 2 A. Yes. 3 Q. Okay, Ms. Chase, I want to 4 start by going over your educational 5 background. 6 Did you ever complete high 7 school? 8 A. Yes. 9 Q. Where did you go to high 10 school? 11 A. Parkdale High in Riverdale, 12 Maryland. 13 Q. And when did you graduate? 14 A. 1983. 15 Q. Do you have any education 16 beyond high school? 17 A. I have some college. 18 Q. Where did you do your "some 19 college"? 20 A. Harford Community College. 21 Q. And when was that? 22 A. In between '84, '86 -- 1984, 23 1986. 24 Q. Did you ever receive a</p>	<p style="text-align: right;">Page 13</p> <p>1 Q. What is the nature of that 2 education? 3 A. It pertained to the job that 4 I had in the military. 5 Q. Let me back up here. 6 When were you in the 7 military? 8 A. From 1983 to 1992. 9 Q. And what branch of the 10 military were you in? 11 A. I was in the Army. 12 Q. During that time period when 13 you were in the military, where were you 14 located? 15 A. Starting from the beginning 16 or -- 17 Q. Sure. 18 A. I was -- started in the 19 Army. I went to Fort Jackson for basic 20 training. And then I went to Fort 21 Benjamin, Harrison, Indiana for my 22 advanced training. 23 And after that, I was 24 stationed at Aberdeen Proving Ground.</p>

<p style="text-align: right;">Page 14</p> <p>1 And then I went to Augsburg, Germany, and 2 back to Aberdeen Proving Ground. And my 3 last station was in Kaiserslautern, 4 Germany. 5 Q. And you mentioned that you 6 got some education while you were in the 7 Army. 8 What was the education you 9 got while you were in the Army? 10 A. All the education I got was 11 pertaining to the particular job that I 12 had. 13 Q. What was the particular job 14 you had? 15 A. It was called personnel 16 information systems. 17 Q. And what -- can you describe 18 what personnel information systems was? 19 A. It actually entailed quite a 20 few things. Mainly, like, data entry 21 information. 22 Q. Then you said you left the 23 military in 1992, right? 24 A. Correct.</p>	<p style="text-align: right;">Page 16</p> <p>1 A. Yes. 2 Q. What were the part-time jobs 3 you had in addition to your full-time job 4 at Northeast Foods during the time period 5 of '92 to '98? 6 A. I worked for Rite Aid 7 pharmacy, the store, for a brief period. 8 And what else? 9 I worked for Riley Mortgage 10 Company part time in Columbia, Maryland 11 as well. 12 Q. The Rite Aid store you 13 worked at part time before 1998, what 14 were you doing at the store? 15 A. I was a cashier. 16 Q. Was cashier your only job 17 you had, before joining Rite Aid full 18 time in '98, at Rite Aid? 19 A. Yes. 20 Q. When you first started 21 working at Rite Aid in 1998, what was the 22 position that you had? 23 A. When I first started, I was 24 hired as the order fulfillment partner.</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. Where -- what did you do 2 after you left the military in 1992? 3 A. So forgive me, that kind of 4 goes back to the education. 5 I did go to school again and 6 took a couple of classes at Harford 7 Community. 8 But then I was employed by 9 Northeast Foods in Baltimore. 10 Q. And what did you do for 11 Northeast Foods? 12 A. I was a payroll clerk and 13 data entry clerk. 14 Q. When did you first start 15 working at Rite Aid? 16 A. In 1998. 17 Q. Between '92 and '98, when 18 you first started working at Rite Aid, 19 did you work anywhere else besides 20 Northeast Foods? 21 A. Not full time. I had 22 part-time jobs. 23 Q. Was your job with Northeast 24 Foods a full-time job?</p>	<p style="text-align: right;">Page 17</p> <p>1 Q. And where were you working 2 at that time as an order fulfillment 3 partner? 4 A. In the Rx area, pharmacy 5 area. 6 Q. When you say "the Rx area," 7 are you referring to a physical area or a 8 topic area? 9 MR. LAVELLE: Object to 10 form. 11 THE WITNESS: I'm sorry? 12 BY MR. POWERS: 13 Q. You said that you worked in 14 the Rx area. 15 Are you talking about a 16 physical area or, like, a topic area? 17 A. It was -- 18 MR. LAVELLE: Object to 19 form. 20 THE WITNESS: It was the 21 department. 22 BY MR. POWERS: 23 Q. Where were you physically 24 located when you started working at Rite</p>

<p style="text-align: right;">Page 18</p> <p>1 Aid in '98 as an order fulfillment 2 partner? 3 A. In the Rx department. 4 Q. But was that in Maryland? 5 Was that -- 6 A. I'm sorry. 7 Yes, in -- 8 MR. LAVELLE: Object to 9 form. 10 Please let the attorney 11 finish his question before you 12 start answering. 13 THE WITNESS: I'm sorry. 14 Could you repeat that, 15 please? 16 BY MR. POWERS: 17 Q. Sure. 18 In 1998 when you started 19 working at Rite Aid full time, where, 20 physically, was the office you were 21 working at? 22 A. That was in Aberdeen -- 23 Perryman, Maryland. 24 Q. And is that the distribution</p>	<p style="text-align: right;">Page 20</p> <p>1 order fulfillment partner, yes. 2 Q. When you started in 1998, 3 did you have any other titles besides 4 order fulfillment partner? 5 A. At that time, no. 6 Q. So you testified that your 7 first responsibilities were working with 8 the A-frames. 9 Did you ever switch 10 responsibilities or change 11 responsibilities during your -- after you 12 started in 1998 at Rite Aid? 13 MR. LAVELLE: Object to 14 form. 15 THE WITNESS: Yes, I did. 16 BY MR. POWERS: 17 Q. When was that? When was the 18 first time that happened? 19 A. Approximately six months to 20 a year, I switched to another position. 21 Q. So that would have been some 22 time in 1999, probably, then? 23 A. Approximately. I'm not 24 exactly sure.</p>
<p style="text-align: right;">Page 19</p> <p>1 center Rite Aid has in Perryman, 2 Maryland? 3 A. Yes. 4 Q. What were your job 5 responsibilities as an order fulfillment 6 partner in -- starting in 1998? 7 A. I started off in the Rx 8 department, and I was responsible for 9 running the A-frames. 10 Q. What are the A-frames? 11 A. A-frames was a machine that 12 was set up to dispense -- to dispense the 13 product into the totes for the stores. 14 Q. How long were you an order 15 fulfillment partner? 16 A. As long as you're there, you 17 actually are an order fulfillment partner 18 the whole time, so -- 19 Q. Are you still with Rite Aid 20 today? 21 A. Yes, I am. 22 Q. So are you still an order 23 fulfillment partner today? 24 A. My title is considered an</p>	<p style="text-align: right;">Page 21</p> <p>1 Q. And what was the position 2 you switched into? 3 A. At that time, I was moved 4 into the Rx control cage. 5 Q. And what is the Rx control 6 cage? 7 A. The Rx control cage is the 8 area where controlled drugs were held. 9 Q. And that's also at the 10 Perryman distribution center in Aberdeen? 11 A. Yes. 12 Q. Did your title change when 13 you were moved into the Rx control cage? 14 A. The added title was control 15 cage partner. 16 Q. And how long were you a 17 control cage partner for? 18 A. The -- up until currently, 19 now. 20 Q. And what are the job 21 responsibilities of a control cage 22 partner at the Aberdeen facility? 23 A. It included several 24 different jobs within that cage, and that</p>

<p style="text-align: right;">Page 22</p> <p>1 consisted of a paperwork person or a 2 picker or a receiver or a replenisher. 3 Q. Anything else besides a 4 paperwork person, picker, receiver or 5 replenisher? 6 A. Not as an actual control 7 cage associate, no. 8 Q. And just so we're clear, 9 when you -- when we talk about the 10 control cage, is that the area within the 11 distribution center that the controlled 12 substances are held? 13 A. Yes. 14 Q. So you mentioned four 15 responsibilities of the control cage 16 partner. 17 The first one you mentioned 18 was paperwork person. 19 Can you describe what you 20 mean by that? 21 A. The paperwork person was 22 responsible for recording the tote 23 numbers and store numbers onto a log for 24 the totes that were picked for the</p>	<p style="text-align: right;">Page 24</p> <p>1 okay. 2 Any other kind of reports 3 that the paperwork control cage partner 4 ran besides the pick list? 5 MR. LAVELLE: Object to 6 form. 7 THE WITNESS: Yes, they did. 8 BY MR. POWERS: 9 Q. What were those reports? 10 A. They were -- what did we 11 call them? Sorry, right now it just kind 12 of slipped my mind, the actual name of 13 it. 14 Q. Can you describe it? 15 A. It was a list of the -- all 16 the stores that printed for a wave, what 17 they called a wave. 18 Q. What is a wave? 19 A. The wave is set up by 20 transportation, and all the stores that 21 would be picked in that one area -- in 22 that one section, shall I say. 23 I'm sorry, and going back to 24 the other question you asked me, what was</p>
<p style="text-align: right;">Page 23</p> <p>1 stores. 2 Q. Did the log have a name? 3 A. Yes, it has a name. Right 4 now it kind of slips my mind. 5 Q. Okay. Any other 6 responsibilities of the paperwork person? 7 A. After they log the 8 information onto the sheet, then they 9 would palletize the totes after they were 10 strapped and tied, according to that log. 11 Q. Anything else? 12 A. And run reports. 13 Q. What kind of reports did the 14 paperwork control cage partner run? 15 A. The pick list that listed 16 the -- all the drugs that the store was 17 supposed to get on that paper. 18 Q. So the pick list was a list 19 of all the drugs that any particular Rite 20 Aid store was supposed to get in a 21 shipment? 22 A. On that particular order, 23 yes. 24 Q. On that particular order,</p>	<p style="text-align: right;">Page 25</p> <p>1 the name of the -- it was actually called 2 a tote list. The -- 3 Q. So the wave you're talking 4 about, is that like a wave of shipments 5 that would go out to a particular set of 6 stores, or is that a wave inside the 7 distribution center itself? 8 MR. LAVELLE: Object to 9 form. 10 THE WITNESS: I'm sorry, 11 could you ask that again? 12 BY MR. POWERS: 13 Q. Sure. 14 You described a wave before 15 when you were talking about the pick 16 list. 17 Can you describe what the 18 wave means when you say "wave"? 19 MR. LAVELLE: Object to 20 form. 21 THE WITNESS: Each wave had 22 the stores set up the way 23 transportation had them to be 24 picked.</p>

¹ BY MR. POWERS:

2 Q. When -- you're saying
3 "transportation," so does that have to do
4 with the shipping of the orders to the
5 stores?

6 A. I'm not quite sure how they
7 set it up. But each wave had a separate
8 number to it so you knew which tote, so
9 which stores, went together.

10 Like, if there was a wave
11 10, you knew not to put a store from wave
12 20 on that pallet.

13 Q. So the waves would have
14 numbers and those numbers would
15 correspond to a particular group of
16 stores that were being shipped to?

17 A. Correct.

18 MR. POWERS: We need to go
19 off the record for a second.

20 VIDEO TECHNICIAN: The time
21 is 10:36 a.m. We are going off
22 the record.

23 - - -

24 (Whereupon, a brief recess

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¹ was taken.)

2 - - -

3 VIDEO TECHNICIAN: The time
4 is 10:44 a.m. And we're back on
5 the record.

⁶ BY MR. POWERS:

7 Q. Before we took the break,
8 Ms. Chase, we were talking about the
9 duties of a control cage partner.

10 Before I go further into
11 that, were the control cage partners ever
12 called control cage clerks?

13 A. That was a different
14 position.

15 Q. Okay. The control cage
16 clerk is a different position than
17 control cage partner?

18 A. Yes.

Age Group	Percentage
18-29	80%
30-49	85%
50-64	80%
65-74	75%
75-84	65%
85+	55%

Page 29

[illegible]

Page 30

[REDACTED]

Page 32

[REDACTED]

Page 31

[REDACTED]

Page 33

[REDACTED]

Page 34

█ [REDACTED]
█ [REDACTED]
█ [REDACTED]
█ [REDACTED]

5 Q. When were you a control cage
6 associate?
7 A. The whole time I was there I
8 was considered a control cage associate.
9 Q. Is control cage associate
10 the same thing as control cage partner,
11 then?
12 A. Yes.
13 Q. When did you become a
14 control cage clerk?
15 A. I can't remember the actual
16 date.
17 Q. Can you give me an
18 approximate date?
19 A. I'm not for sure. I would
20 say within about a year after working
21 there.
22 Q. So some time before 2000?
23 A. Yes.
24 Q. How long were you a control

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1 cage clerk for?
2 A. That, I don't remember the
3 exact date either.
4 Q. Are you still a control cage
5 clerk?
6 A. I am not.
7 Q. What is your current
8 position?
9 A. My current position is a
10 control cage associate.
11 Q. Did you have any other
12 positions besides control cage associate
13 or control cage clerk?
14 A. Yes.
15 Q. What were those positions?
16 A. After the control cage
17 clerk, I became the DEA coordinator.
18 Q. Do you know when you became
19 the DEA coordinator?
20 A. I'm sorry?
21 Q. When did you become the DEA
22 coordinator?
23 A. I don't remember the exact
24 dates. Approximately 2002.

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1 Q. Do you know how long you
2 were a DEA coordinator for?
3 A. Approximately five years.
4 Q. So you were a DEA
5 coordinator from about 2002 to about
6 2007; is that right?
7 A. Yes.
8 Q. And after you stopped being
9 the DEA coordinator, what was your
10 position?
11 A. I went back to the DEA
12 clerk.
13 Q. When you say you went back
14 to DEA clerk, were you ever a DEA clerk
15 before?
16 A. Yes. I was a DEA clerk
17 before I became a coordinator.
18 Q. So is control cage clerk the
19 same as DEA clerk?
20 A. I'm sorry. Yes, it is.
21 Q. I'm just trying to get a
22 handle on the different titles.
23 A. Yes, I apologize.
24 When we say it, it is sort

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1 of interchangeable.
2 Q. So after being DEA
3 coordinator, you went back to being a DEA
4 clerk.
5 How long did you remain a
6 DEA clerk after approximately 2007?
7 A. I can't quite remember. I
8 believe it was less than a year, because
9 they changed the position -- they kind of
10 got rid of the position as the clerk.
11 Q. Did you transition to a new
12 position at that point when they got rid
13 of the DEA clerk position?
14 A. Yes. Then I became the
15 control cage lead.
16 Q. And how long were you a
17 control cage lead?
18 A. Up until currently -- I'm
19 sorry, excuse me, until 2014.
20 Q. And then after 2014, what
21 was your position?
22 A. Then I just pretty much
23 became the DEA associate again, or
24 partner.

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1 Q. And that -- is that what you
2 referred to earlier as the control cage
3 associate?
4 A. Correct.
5 Q. Okay. I want to go back to
6 the control cage clerk before you became
7 DEA coordinator.
8 What were your job
9 responsibilities in that position?
10 A. If I remember, most of the
11 responsibilities were to monitor the
12 billing report and different
13 correspondences with other people within
14 the building, and helping out in the
15 control cage with whatever was needed
16 from the other associates, and assisting
17 the DEA clerk with whatever -- I mean, a
18 DEA coordinator with whatever she needed.
19 Q. Who was the DEA coordinator?
20 A. At the time --
21 MR. LAVELLE: Object to
22 form.
23 BY MR. POWERS:
24 Q. Yeah. At the time you were

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1 a control cage clerk, before becoming a
2 DEA coordinator.
3 A. I'm sorry, if you could just
4 repeat that.
5 Q. Sure.
6 So you said one of your job
7 responsibilities as a control cage clerk,
8 when you were in that position before you
9 became a DEA coordinator in approximately
10 2002 was to assist the DEA coordinator,
11 right?
12 A. Correct.
13 Q. Who was the DEA coordinator
14 you were assisting?
15 A. That was Marian Wood.
16 Q. Do you know how long Ms.
17 Wood has been in that position as DEA
18 coordinator?
19 MR. LAVELLE: Object to
20 form.
21 THE WITNESS: No.
22 BY MR. POWERS:
23 Q. Has she been the DEA
24 coordinator at the Aberdeen facility your

Page 40

1 entire time there?
2 A. No.
3 Q. When you moved on to the
4 position of DEA coordinator in around
5 2002, what were your job responsibilities
6 there?
7 A. My main responsibilities
8 were to make sure that the associates in
9 the cage were adhering to different
10 procedures and policies within the cage
11 and to maintain the inventory, and it
12 included correspondence with DEA agents
13 and Board of Pharmacy agents, and other
14 clerical things.
15 - - -
16 (Whereupon, Exhibit
17 RiteAid-Chase Exhibit-1,
18 Rite_Aid_OMDL_0016495-498, was
19 marked for identification.)
20 - - -
21 MR. POWERS: I'll hand you
22 what I marked as Exhibit-1. For
23 the record it's Bates stamped
24 Rite_Aid_OMDL_0016495. And it's

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1 an e-mail with the included
2 attachments.
3 BY MR. POWERS:
4 Q. Just take a second and look
5 over the e-mail, and just let me know
6 when you've had a chance to review it.
7 MR. LAVELLE: Are you using
8 any prefix for the exhibit? Are
9 you just calling it Exhibit-1?
10 MR. POWERS: I'll just refer
11 to it as Exhibit-1.
12 MR. LAVELLE: Okay.
13 MR. POWERS: I think on the
14 stickers it says Chase as the
15 witness.
16 MR. LAVELLE: So it's
17 Chase-1. Thank you.
18 BY MR. POWERS:
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]

Page 42

[REDACTED]

Page 44

[REDACTED]

Page 43

[REDACTED]

Page 45

[REDACTED]

Page 46

[REDACTED]

Page 48

1 A. Yes.
2 Q. Did she work out of the
3 Perryman distribution center?
4 A. Yes.

[REDACTED]

Page 47

[REDACTED]

20 Q. And the corporate office is
21 where?
22 A. In Harrisburg, Pa.
23 Q. And Marian Wood was located
24 in Maryland?

Page 49

[REDACTED]

Page 50

[REDACTED]

Page 52

[REDACTED]

Page 51

[REDACTED]

Page 53

[REDACTED]

Page 54

[REDACTED]

Page 56

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Page 58

[REDACTED]

Page 60

[REDACTED]

Page 59

[REDACTED]

Page 61

[REDACTED]

Page 62

Page 64

Page 63

Page 65

Page 66

[REDACTED]

Page 68

[REDACTED]

Page 67

[REDACTED]

Page 69

[REDACTED]

16 Q. Are you familiar with the
17 term "diversion" in the context of
18 controlled substances?
19 A. Yes.
20 Q. What does diversion mean, in
21 your own words?
22 A. In my own words, diversion
23 means something that is taken and used
24 for other than what is the purpose.

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1 MR. LAVELLE: Counsel, are
2 you finished with Chase-1?
3 MR. POWERS: Yes.
4 MR. LAVELLE: I'll give it
5 to the court reporter. She needs
6 to keep all the exhibits.
7 Thank you.
8 BY MR. POWERS:
9 Q. Does Rite Aid have an
10 obligation to prevent diversion?
11 A. Yes.
12 MR. LAVELLE: Object to
13 form.
14 BY MR. POWERS:
15 Q. Why does Rite Aid have an
16 obligation to prevent diversion?
17 MR. LAVELLE: Object to
18 form.
19 THE WITNESS: Could you
20 repeat that? I'm sorry.
21 BY MR. POWERS:
22 Q. Why does Rite Aid have an
23 obligation to prevent diversion?
24 MR. LAVELLE: Object to

Page 71

1 form.
2 THE WITNESS: As a
3 distributor, they would have an
4 obligation to make sure their
5 items aren't going other than
6 where they're supposed to go.
7 BY MR. POWERS:
8 Q. Any other reason besides by
9 virtue of being a distributor?
10 MR. LAVELLE: Same
11 objection.
12 THE WITNESS: Not that I can
13 necessarily think of right now.
14 BY MR. POWERS:
15 Q. Are you familiar with the
16 concept -- are you familiar with the
17 concept of a suspicious order in the
18 context of controlled substance
19 distribution?
20 A. Yes.
21 Q. What does that mean to you?
22 A. To me, that means that
23 there's an order that we have a question
24 about, that is possibly not what it

Page 72

1 should be.
2 Q. When you say "we," in an
3 order that we have a question about, do
4 you mean Rite Aid?
5 A. Yes. In the context of who
6 was working with me.
7 Q. And you said that it's an
8 order that is possibly not what it should
9 be.
10 What do you mean by that?
11 A. As in if we thought
12 something was going to happen to -- other
13 than what was supposed to, other than
14 going to the pharmacist, or if we thought
15 something was happening with it.
16 Q. We talked a little bit
17 before about sort of how the operations
18 worked at the DC, and I want to just get
19 clarity on a couple of points.
20 The Rite Aid distribution
21 centers only distributes to Rite Aid
22 stores, correct?
23 A. Yes.
24 Q. And the Rite Aid

Page 73

1 distribution centers only distributed
2 controlled substances up until 2014,
3 right?
4 A. Yes.
5 Q. How often would orders for
6 controlled substances be received at the
7 distribution center?
8 A. Like --
9 Q. Like, would an order come in
10 daily? Weekly? Every hour? How did
11 that work?
12 MR. LAVELLE: Object to
13 form.
14 THE WITNESS: Oh, I'm sorry.
15 The orders came -- they came
16 through daily.
17 BY MR. POWERS:
18 Q. And once the orders came
19 through, what happened next?
20 A. I was not in a position
21 to -- how can I put it? The way they
22 came through the building, I didn't have
23 access to that. That wasn't part of my
24 job.

Page 74

Page 76

1 I didn't see it until it
2 actually came to the control cage and
3 when they downloaded what we called the
4 wave, as I explained earlier.

5 Q. So you would see a wave come
6 through.

7 And was that electronic on a
8 computer or was it on a hardcopy
9 document? How would that come through to
10 you?

11 MR. LAVELLE: Object to
12 form.

THE WITNESS: Could you repeat it for me, please?

15 BY MR. POWERS:

16 Q. Sure.

17 So you said that you would
18 get the orders through the waves in the
19 control cage, right?

20 A. Correct.

21 Q. How would you receive those
22 waves? Would it be electronic?
23 Hardcopy? Verbal? What?

24 MR. LAVELLE: Object to

Page 75

Page 77

1 form.

2 THE WITNESS: Computer,
3 electronic.

⁴ BY MR. POWERS:

Age Group	Should Take Action (%)	Should Not Take Action (%)
18-29	95	5
30-49	95	5
50-69	95	5
70+	95	5

Age Group	Should Take Action (%)	Should Not Take Action (%)
18-29	95	5
30-49	95	5
50-69	95	5
70+	95	5

Page 78

Page 80

Page 78

Page 80

Category	Percentage
1	85
2	75
3	80
4	85
5	80
6	15
7	75
8	70
9	85
10	90
11	45
12	15
13	70
14	85
15	85
16	60
17	70
18	85
19	80
20	40
21	65
22	80
23	40
24	60
25	50
26	65
27	90
28	40

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Page 81

Page 79

Page 81

Category	Percentage
1	85
2	25
3	85
4	25
5	70
6	85
7	90
8	75
9	25
10	70
11	25
12	85
13	25
14	75
15	85
16	50
17	70
18	90
19	85
20	25
21	60
22	85
23	70
24	70
25	85
26	70

Page 82

[REDACTED]

Page 83

[REDACTED]

Page 84

[REDACTED]

8 MR. LAVELLE: Counsel, we've
9 been going about an hour. When we
10 get to a convenient spot for a
11 break, I'd like to take one.
12 MR. POWERS: We can do it
13 right now. That's fine.
14 VIDEO TECHNICIAN: The time
15 is 11:43 a.m. We are going off
16 the record.
17 - - -
18 (Whereupon, a brief recess
19 was taken.)
20 - - -
21 VIDEO TECHNICIAN: The time
22 is 11:58 a.m. We are back on the
23 record.
24 BY MR. POWERS:

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1 Q. Welcome back, Ms. Chase.
2 MR. POWERS: I'm going to
3 hand you what has been marked as
4 Exhibit-2. And the beginning
5 Bates on this exhibit is
6 Rite_Aid_OMDL_0016297.
7 And, once again, it's an
8 e-mail with a bunch of attachments
9 that are also included in this
10 exhibit. It's somewhat lengthy,
11 the number of exhibits on here.
12 I'm going to tell you to take a
13 look at it, but I'm going to tell
14 you that I'm going to direct your
15 attention to a couple particular
16 pages in the exhibit. So maybe
17 that will help move things along a
18 little quicker.
19 - - -
20 (Whereupon, Exhibit
21 RiteAid-Chase Exhibit-2,
22 Rite_Aid_OMDL_0016297-329, was
23 marked for identification.)
24 - - -

Page 86

Page 88

¹ THE WITNESS: Okay.

2 BY MR. POWERS:

A horizontal bar chart titled 'U.S. should take action to address climate change'. The y-axis lists age groups: 18-29, 30-49, 50-64, 65+, and 'All adults'. The x-axis shows percentages from 0 to 100. For each age group, there are two bars: a blue bar for 'Total' and a red bar for 'Men'. The data is as follows:

Age Group	Total (%)	Men (%)
18-29	92	88
30-49	88	85
50-64	85	82
65+	78	75
All adults	82	80

Row	Bar Length (approx. %)
1	45
2	35
3	95
4	85
5	90
6	75
7	88
8	95
9	30
10	80
11	45
12	85
13	95
14	90
15	75
16	80
17	95
18	50
19	85
20	95

Page 87

Page 89

Group	Should take action	Should not take action
All respondents	85%	15%
Male	83%	17%
Female	87%	13%
18-29	88%	12%
30-49	85%	15%
50-69	82%	18%
70+	78%	22%

13 BY MR. POWERS:

Response	Percentage
Current government	85%
Previous government	15%

Group	Should take action	Should not take action
All respondents	85%	15%
Male	83%	17%
Female	87%	13%
18-29	92%	8%
30-49	88%	12%
50-69	85%	15%
70+	78%	22%

Page 90

[REDACTED]

Page 92

[REDACTED]

Page 91

[REDACTED]

Page 93

1 Q. Were there any orders that
2 were -- that came to the distribution
3 center above the threshold that you did
4 not ship any part of the order?
5 A. I do recall we had some. I
6 don't recall specifics, but I have had
7 some.
8 Q. Do you remember why the
9 orders were not shipped at all?
10 A. Most of the time, that phone
11 call, the pharmacist would say they
12 didn't understand why they even ordered
13 it, and then they would say we don't need
14 that so you don't have to ship it to us.
15 Q. Did you ever ask any
16 questions beyond just verifying whether
17 they needed that particular amount?
18 MR. LAVELLE: Object to
19 form.
20 THE WITNESS: No.
21 BY MR. POWERS:
22 Q. Let me be clear.
23 We're talking about when
24 you're calling the pharmacies when they

Page 94

1 place orders above threshold, right?
2 MR. LAVELLE: Object to
3 form.
4 BY MR. POWERS:
5 Q. So let me ask it this way --
6 A. Okay.
7 Q. -- when you called the
8 pharmacists or the pharmacies about
9 orders that came in that were above the
10 threshold, you did not ask any other
11 questions besides whether or not the
12 pharmacy needed that particular amount,
13 right?
14 MR. LAVELLE: Object to
15 form.
16 THE WITNESS: I would only
17 ask them if that order was
18 correct.
19 BY MR. POWERS:
20 Q. Looking at the page in
21 Exhibit-2 that we've been looking at,
22 ending in Bates 16305, in the second full
23 paragraph there, it says, If the store
24 verifies the quantity is correct, the

Page 95

1 [REDACTED]
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6 [REDACTED]
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Page 96

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Page 97

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Page 100

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Page 99

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Page 101

[REDACTED]

Page 102

[REDACTED]

Page 103

[REDACTED]

Page 104

[REDACTED]

6 MR. POWERS: You can put
7 aside Exhibit-2.
8 MR. LAVELLE: Let's give
9 this to the court reporter.
10 - - -
11 (Whereupon, Exhibit
12 RiteAid-Chase Exhibit-3,
13 Rite_Aid_OMDL_0012503-505, was
14 marked for identification.)
15 - - -
16 MR. POWERS: I'm going to
17 hand you what's been marked as
18 Exhibit-3. It is another e-mail,
19 and the starting Bates number is
20 Rite_Aid_OMDL_0012503. And the
21 e-mail has an attachment which is
22 included in Exhibit-3.
23 THE WITNESS: Okay.
24 BY MR. POWERS:

Page 105

[REDACTED]

Page 106

[REDACTED]

Page 108

[REDACTED]

Page 107

[REDACTED]

Page 109

[REDACTED]

Page 110

[REDACTED]

Page 112

[REDACTED]

6 MR. LAVELLE: Are you
7 finished with Exhibit-3?
8 MR. POWERS: Yes, we're
9 finished with that exhibit.
10 - - -
11 (Whereupon, Exhibit
12 RiteAid-Chase Exhibit-4,
13 Rite_Aid_OMDL_0049994-50031, was
14 marked for identification.)
15 - - -
16 MR. POWERS: I'm going to
17 hand you what's been marked as
18 Exhibit-4. It's Bates number
19 Rite_Aid_OMDL_0049994.

[REDACTED]

Page 111

[REDACTED]

Page 113

[REDACTED]

Page 118

Page 120

Page 119

Page 121

Page 122

[REDACTED]

Page 124

[REDACTED]

Page 123

[REDACTED]

Page 125

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Page 126

[REDACTED]

Page 128

[REDACTED]

Page 127

[REDACTED]

Page 129

[REDACTED]

7 - - -

8 (Whereupon, Exhibit

9 RiteAid-Chase Exhibit-6,

10 Rite_Aid_OMDL_0003641, was marked

11 for identification.)

12 - - -

13 MR. POWERS: I'm going to

14 hand you what's been marked as

15 Exhibit-6. This is Bates number

16 Rite_Aid_OMDL_0003641.

17 THE WITNESS: Okay.

18 BY MR. POWERS:

[REDACTED]

Page 130

[REDACTED]

Page 132

[REDACTED]

Page 131

[REDACTED]

Page 133

[REDACTED]

Page 134

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Page 136

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Page 135

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Page 137

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Page 138

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Page 140

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Page 139

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Page 141

[REDACTED]

Page 142

[REDACTED]

Page 144

[REDACTED]

Page 143

[REDACTED]

Page 145

[REDACTED]

Page 146

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MR. LAVELLE: Counsel, it's about five minutes after 1:00.

MR. POWERS: Yes. I think I may be done, so do you want to take a quick ten-minute break and we may be done for the day.

MR. LAVELLE: That's fine.

VIDEO TECHNICIAN: The time is 1:04 p.m. We are going off the record.

— — —

(Whereupon, a brief recess
was taken.)

— — —

VIDEO TECHNICIAN: The time is 1:17 p.m. We are back on the record.

BY MR. POWERS:

Q. Welcome back, Ms. Chase.
I just have a couple of

Page 147

Page 149

follow-up questions, and then I think I'll be done.

— — —

(Whereupon, Exhibit RiteAid-Chase Exhibit-7, Rite_Aid_OMDL_0014379-452, was marked for identification.)

— — —

Page 150

[REDACTED]

Page 152

[REDACTED]

Page 151

[REDACTED]

Page 153

[REDACTED]

Page 154

[REDACTED]

Page 156

1 CERTIFICATE

2

3

4 I HEREBY CERTIFY that the

5 witness was duly sworn by me and that the

6 deposition is a true record of the

7 testimony given by the witness.

8

9

10

11 Amanda Maslinsky-Miller

12 Certified Realtime Reporter

13 Dated: January 7, 2019

14

15

16

17 (The foregoing certification

18 of this transcript does not apply to any

19 reproduction of the same by any means,

20 unless under the direct control and/or

21 supervision of the certifying reporter.)

22

23

24

Page 155

[REDACTED]

7 MR. POWERS: That's all I

8 have.

9 MR. LAVELLE: Any other

10 questions?

11 We have no questions for the

12 witness. The witness reserves the

13 right to read and sign.

14 VIDEO TECHNICIAN: The time

15 is 1:23 p.m., January 4th, 2019.

16 Going off the record, completing

17 the videotape deposition.

18 - - -

19 (Whereupon, the deposition

20 concluded at 1:23 p.m.)

21 - - -

22

23

24

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1 INSTRUCTIONS TO WITNESS

2

3 Please read your deposition

4 over carefully and make any necessary

5 corrections. You should state the reason

6 in the appropriate space on the errata

7 sheet for any corrections that are made.

8 After doing so, please sign

9 the errata sheet and date it.

10 You are signing same subject

11 to the changes you have noted on the

12 errata sheet, which will be attached to

13 your deposition.

14 It is imperative that you

15 return the original errata sheet to the

16 deposing attorney within thirty (30) days

17 of receipt of the deposition transcript

18 by you. If you fail to do so, the

19 deposition transcript may be deemed to be

20 accurate and may be used in court.

21

22

23

24

Page 158

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1 LAWYER'S NOTES
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1 ACKNOWLEDGMENT OF DEPONENT
2
3 I, _____, do
4 hereby certify that I have read the
5 foregoing pages, 1 - 155, and that the
6 same is a correct transcription of the
7 answers given by me to the questions
8 therein propounded, except for the
9 corrections or changes in form or
10 substance, if any, noted in the attached
11 Errata Sheet.
12
13 DEBRA CHASE DATE
14
15 Subscribed and sworn
16 to before me this
17 _____ day of _____, 20____.
18 My commission expires: _____
19
20 Notary Public
21
22
23
24